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October 21, 2004

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

RESPONSE TO JAILHOUSE WITNESS PROTECTION TASK FORCE FINDINGS

The purpose of this document is to address the findings and recommendations of the August 2004 Jailhouse Witness Protection Task Force (JWPTF) Report issued by the Los Angeles County District Attorney's Office. In response to concerns raised by recent jail homicides, Chiefs Charles Jackson and John Scott created the Inmate Movement Prisoner Accountability Classification Task Force (IMPACT) to identify and correct issues related to inmate safety. IMPACT has already addressed most of the issues raised by the JWPTF.

IMPACT METHODOLOGY AND COMPOSITION

The IMPACT Chairman, Commander Alexander Yim, recognized the need to involve all levels of Department personnel. IMPACT has organized meetings consisting of County Counsel, professional staff, custody assistants, deputies, sergeants, lieutenants, captains, commanders, and chiefs from all custody facilities, Transportation Bureau, Custody Operations Division, Correctional Services Division, Field Operations Support Services, Court Services Division, Leadership and Training Division and the Jail Liaison Unit. There are many years of experience involved in IMPACT with extensive backgrounds in custody, transportation, courts, patrol, and administration. Interaction and open communication have been a trademark of IMPACT, resulting in open dialogue and innovative ideas.

A Tradition of Service

WITNESS PROTECTION UNIT

The Sheriff's Department and District Attorney's Office have a vested interest in the protection of inmate witnesses due to the integral part they play in the prosecution of criminal cases. Inmate witnesses need to believe in their safety to agree to testify, and we recognize our obligation to protect them. To this end, the primary recommendation of the JWPTF was to create a Witness Protection Unit (WPU), which would have responsibility for the protection of inmates who are witnesses.

The function of the WPU would be to identify, classify, and arrange housing for inmate witnesses. These primary functions are currently performed by the Jail Liaison Unit at Men's Central Jail, in conjunction with the Classification Unit at the Inmate Reception Center. After reviewing each inmate homicide in depth, there was no contention that the function or performance of the Jail Liaison Unit was in any way faulty or contributed to any of the deaths. The dissolution and replacement of a currently effective and efficient unit would be counter-productive.

Rather than creating a new bureaucracy, we believe we can improve upon the current system. We recommend the District Attorney's Office assign a permanent, full-time Deputy District Attorney (DDA) to the Jail Liaison Unit. This DDA would act as a liaison with the Sheriff's Department to assist with the proper classification and appropriate housing of all inmate witnesses. The presence of a DDA in the Jail Liaison Unit would improve communication between the Sheriff's Department and all agencies with criminal cases involving inmate witnesses. This would eliminate the need for a multi-agency standing subcommittee of the Board of Supervisors' Countywide Criminal Justice System Coordinating Committee, as recommended by the JWPTF.

By being permanently assigned to the Jail Liaison Unit, the DDA would become knowledgeable in all areas of the Sheriff's Department's inmate classification and housing. Additionally, the DDA would be able to provide a direct link between the District Attorney's office and the Jail Liaison Unit, which will improve the housing, safety, and peace of mind of inmate witnesses.

The JWPTF report states the WPU could possibly be funded by the Inmate Welfare Fund. A legal opinion obtained from County Counsel indicated this type of expenditure would not be allowed by current statute.

JAILHOUSE TELEPHONE RECORDING AND MONITORING SYSTEM

Prior to the jail homicides, the Sheriff's Department identified the need for a more robust monitoring system to record inmate phone calls. The Department recently released a Request for Proposal concerning inmate telephones which will include a

state-of-the-art recording system capable of, but not limited to, random call monitoring, digital recording and retrieval, digital searches based on specific words, etc.

The random live monitoring of inmate telephone calls and the installation of video recording systems, as recommended in the JWPTF report, are prohibitive due to the cost of equipment and technology, as well as the additional personnel required to actively monitor the systems. The current telephone system in the jails has the capability of blocking incoming phone calls, three-way phone calls, and call-forwarding.

Pitchess Detention Center, East Facility, is currently involved in a pilot project which incorporates the installation of a closed circuit television (CCTV) monitoring system. This system will consist of 77 cameras located in key areas throughout the facility. This system utilizes the latest video technology and will enhance facility security, reduce inmate violence, as well as provide tremendous evidentiary value. This pilot project will provide the platform needed to expand CCTV throughout the jail system.

INMATE MOBILITY WITHIN THE JAIL

Identification of inmates is essential to day-to-day operations in the jail system. The use of computer technology to scan inmates and identify their location has been expanded. The current Defendant Inmate Movement Management System (DIMMS) scanning system has been improved by adding additional scanners within the jail; however, IMPACT views this system as antiquated and is reviewing Radio Frequency Identification (RFID) as a possible replacement technology.

RFID uses both active and passive radio communication. Active communication will allow the processing of real-time information, whereas passive communication sends data only when it's in close proximity to an RFID reader. Active RFID can actually provide the necessary technology to track inmates as they move throughout the system. Both active and passive RFID technologies are being reviewed by IMPACT for application throughout the custody and court environments and its fiscal feasibility.

IMPACT has devised an identification card that will be color-coded to correspond to the color of inmate uniforms. All inmates will wear the identification card readily visible on the chest of their uniforms. The card will contain their name, booking number, photograph, classification, and special handling status. This identification card is scheduled for implementation by the end of 2004. Inmates will wear this identification card in conjunction with their wristband. The identification card will have a magnetic stripe and bar code which will facilitate the scanning of inmate movement. The card can also be used by inmates for purchases made at facility vending machines. In the future, technology upgrades with this card may allow immediate notification when an inmate enters an unauthorized area.

HOUSING AREA SEARCHES

Continual searches of housing areas are critical. These searches allow the control and seizure of contraband and provide a safer environment for custody personnel and inmates. Search matrixes for custody facilities have been generated which provide instant information on the frequency of the areas searched. Upon the completion of all area searches, a Custody Facility Search Report is completed, which details the area searched, type of search, and number of weapons and contraband recovered.

The Department recognizes that the elimination of contraband through additional housing-area searches is critical to the safety of inmates and staff. The intoxication caused by the consumption of inmate produced alcoholic brew, "pruno," was a significant factor in several of the homicides. After consultation with management and staff, the concept of creating two search teams was developed; one for the north county area and one for the south county area. The Department is exploring the feasibility of employing a canine unit specifically trained to identify and locate "pruno," with one canine assigned to each team. When appropriate resources are identified, the formation of these teams will be a priority.

INMATE WORKER ISSUES

IMPACT has addressed the uniform standards and inmate worker selection process. Policy has been drafted and is in the approval phase for uniform standards, as well as the selection process for inmate module and housing area workers. The uniform policy revision standardizes inmate uniforms throughout all County jail facilities. This revision details colors and corresponding housing identifiers associated with inmate uniforms. All facilities will now have the same colored uniforms to designate the same classification and special handle status of inmates.

The current process of using the Personnel Prisoner Office (PPO) to select facility inmate workers is effective. Adding the additional task of selecting inmate module and housing area workers by the PPO, as recommended by the JWPTF, would affect the efficiency of the unit. After extensive discussion, IMPACT found an alternate option and has drafted a new Custody Division Policy for the selection of module and housing area workers. This policy requires potential inmate workers be screened by housing area personnel and, also requires, final approval by the sergeant assigned to that area. The new policy lists disqualifying factors, as well as documentation needed to be produced and retained during and after the selection process.

The JWPTF recommended all inmate workers, "general" (facility-wide), module and housing area workers, be housed together. Both types of workers are chosen based upon their security level and special handle designations. General inmate workers are selected by the PPO, and the module and housing area workers are selected by

personnel working in the housing area (with supervisor approval). The passing of contraband would be facilitated by housing all inmate workers together. It will cause unnecessary inmate movement throughout the jail. Further, placing inmates with different classifications in the same housing area will compromise inmate and staff safety.

The JWPTF recommended inmates should be excluded from handling documentation which contains inmate information, working in areas where inmate information can be accessed, and working in areas where inmate interviews are conducted. The Sheriff's Department concurs and does not want inmate workers to have access to the personal information of other inmates. Alternatives are being researched and considered. Inmates who are assigned to work in areas containing inmate information are continually monitored and supervised by staff. Inmate workers are never allowed in the proximity of inmate witness interviews.

The JWPTF recommended all inmate workers be escorted to and from their work locations. Currently, groups of inmate workers are escorted to and from work by custody personnel. As a result of this report, IMPACT will address the issue of individual inmate workers moving unescorted within facilities.

The report's recommendation to replace inmate workers with civilian personnel is cost prohibitive. Enhancements to the selection and use of inmate workers will address security concerns.

CLASSIFICATION REQUESTS AND PROCESSING ISSUES

The Sheriff's Department's definition of "Classification" is the process of determining an inmate's security level. When an inmate requires special housing or status, they are designated with "Special Handle" identifiers. The JWPTF uses the term "classification" when discussing "Special Handle" issues.

The development of a computerized "Special Handling" system has been considered in the past. IMPACT has recognized the need for this system and provided the impetus to create this system. As the JWPTF demonstrated in the requirements for this system, implementation is complicated and involves several variables and locations throughout the County. However, we acknowledge the importance of this system and its development is a top priority.

ALTERNATIVE HOUSING AND TRANSPORTATION ISSUES

The safety of all inmates and the security of all jail facilities is the primary function of the Sheriff's Department. As previously stated, inmate witnesses are an important facet in the prosecution of a criminal case. The creation of a new classification for inmate witnesses would defeat the JWPTF plan to provide additional protection. The danger

arises from identifying inmate witnesses by making them "different," thereby causing them to stand out in the inmate population. Inmates would likely be reluctant to assist the District Attorney's Office for fear other inmates would decipher the difference in their classification and target them for assault.

Separate transportation and segregation at courthouses would require a new classification of inmates, as well as the construction of additional holding cells. As previously stated, this new classification will cause undue risk based on the fact that inmate witnesses would be easily identified by other inmates.

Additionally, due to budgetary constraints, the concept of dedicating an entire jail facility for the exclusive housing of inmate witnesses is not feasible. Likewise, the recommendation for special transport would not be fiscally viable. Additional costs would arise from the need for buses designated for inmate witnesses and additional personnel to segregate, house, and transport inmate witnesses.

The JWPTF recommended housing inmate witnesses at a separate facility, specifically the Century Regional Detention Facility (CRDF). If suitable funding is located to open CRDF, it is the Sheriff's Department's intention to house women at that facility. This will, in turn, open space in the Twin Towers Correctional Facility for high security male inmates. This would result in increased safety for all inmates and staff rather than a selected group.

TRAINING ISSUES

The Sheriff's Department agrees that personnel working in the jail system should receive additional training on handling inmate witnesses. Training is an essential element in maintaining a safe environment for all inmates.

IMPACT and Custody Division Training are currently examining and implementing new and innovative ways to train personnel within the constraints caused by budget issues. Two-hour "in-service" training blocks, videos, and computerized training have been developed, and their effectiveness is being evaluated. The knowledge and understanding of the dangers which inherently exist when an inmate is a witness is essential for all personnel. Jail supervisors can further the training process by conducting recurrent briefings related to the protection, security, and handling of inmate witnesses. Recurrent briefings will afford accountability and the documentation needed to ensure personnel are aware of the matters involving inmate witnesses.

CONCLUSION

The commitment and effort of the JWPTF are reflected in their final report. It confirmed many of the areas of concern that were being addressed prior to the inmate murders, as well as those already identified by IMPACT. Significant progress has already been made to rectify these issues, and I will direct IMPACT to incorporate this report into its ongoing efforts to provide a safer, more secure environment for all inmates.

For the improved safety of all inmates, the Sheriff's Department seeks to develop an enhanced working relationship with the District Attorney's office through the assignment of a Deputy District Attorney to the Jail Liaison Unit.

I look forward to a closer partnership with the District Attorney's Office as we address these mutual concerns.

Sincerely,


LEROY D. BACA
SHERIFF